

09-09-05
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PCT #6

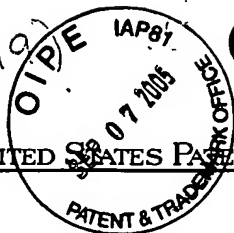
PTO/SB/21 (09-04)
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/505,308-Conf. #6007 ✓
	Filing Date	August 20, 2004
	First Named Inventor	James R. Eshleman
	Art Unit	N/A
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	58556(71699)

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Letter Accompanying Response to Notification of Defective Response (1 page)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	Corrected Declaration/Power of Attorney (8 pages)
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	Copy of Notification of Defective Response (2 pages)
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	EDWARDS & ANGELL, LLP		
Signature			
Printed name	Stephana E. Patton		
Date	September 7, 2005	Reg. No.	50,373

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV711310055US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: September 7, 2005	Signature: <u>Susan M. Dillon</u> (Susan Dillon)



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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/505,308	James R Eshleman	58556 (71699)

INTERNATIONAL APPLICATION NO.

PCT/US03/05789

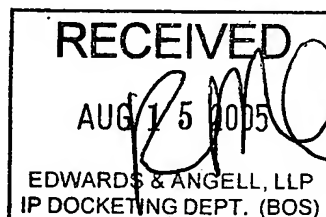
I.A. FILING DATE

02/24/2003

PRIORITY DATE

02/22/2002

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CONFIRMATION NO. 6007

371 FORMALITIES LETTER



OC000000016738243

Date Mailed: 08/10/2005

Previously Docketed

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 08/20/2004
- Copy of the International Search Report filed on 08/20/2004
- Copy of IPE Report filed on 08/20/2004
- Preliminary Amendments filed on 08/20/2004
- Oath or Declaration filed on 07/15/2005
- Request for Immediate Examination filed on 08/20/2004
- Copy of references cited in ISR filed on 08/20/2004
- U.S. Basic National Fees filed on 08/20/2004
- Priority Documents filed on 08/20/2004

NOTED ON SYSTEM

Applicant's response filed 07/15/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 04/18/2005 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - does not identify the citizenship of each inventor.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VIRGINIA L IRBY

Telephone: (703) 308-9290 EXT 107

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/505,308	PCT/US03/05789	58556 (71699)

FORM PCT/DO/EO/916 (371 Formalities Notice)